

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1852 – SB 1871

February 27, 2018

**SUMMARY OF ORIGINAL BILL:** Changes the service requirements for an order of protection to: (1) require a copy of the order of protection to be mailed by registered mail, return receipt requested, (2) change the date of completion of the mail service from “upon mailing” to “upon receipt by the clerk of the completed mailing”, and (3) allow for the refusal of receipt by the addressee, when witnessed by a postal service employee, to be considered complete and sufficient notice.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (013947):** Adds language to the original bill that allows for a copy of the order of protection to be sent as either certified mail or registered mail.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Tennessee Code Annotated § 36-3-609 establishes guidelines for service of an order of protection.
- The proposed legislation requires copies of orders of protection to be mailed by certified mail or registered mail, return receipt requested, and changes the date of the completion from the date the service is mailed to the date that the county clerk receives the receipt of the completed mailing.
- The proposed legislation also permits that the refusal of receipt of the mail, as witnessed by a postal service employee be considered sufficient proof of a completed mailing.
- The Administrative Office of the Courts and the County Officials Association of Tennessee confirm that the proposed legislation will not significantly impact their agencies.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee" followed by the letters "RNC" in a smaller, slightly slanted script.

Krista M. Lee, Executive Director

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